

Appl. No. 09/808,404
Amdt. dated July 27, 2005
Reply to Office Action of April 27, 2005

REMARKS/ARGUMENTS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application is obvious under the provisions of 35 USC § 102. Thus, the Applicants believe that all of these claims are now in allowable form.

If the Examiner believes that there are any unresolved issues in any of the claims now pending in the application, the Examiner is urged to telephone Ms. Alberta A. Vitale, Esq. at (203) 469-8097 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Claim Amendments

Claim 13 is amended to correct a minor typographical error. Claims 4 and 14 are amended in response to the indication that they allowable.

Allowable Subject Matter

The Office action, at page 5, paragraph 3, states that claims 4-10 and 14-20 "are objected to . . . but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 4 has been amended to include "all of the limitations of the base claim[s]" 1, 2 and 3. Likewise, claim 14 has been amended to include "all of the

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limitations of the base claim[s]" 11, 12 and 13. Hence, claims 4 and 14 are in allowable form and claims 5-10 and 15-20, which depend from claims 4 and 14, respectively, are also in allowable form, based upon their dependence from the allowable base claims.

Rejections under 35 U.S.C. § 102

The Office action has rejected claims 1-3 and 11-13 under the provisions of 35 USC § 102 as being anticipated over the teachings in the Staples patent (United States patent 6,301,339 issued to Leven E. Staples et al. on October 9, 2001 (hereinafter Staples)). This rejection is respectfully traversed.

Applicants discuss the rejection in the context of independent claim 1 and dependent claims 2 and 3. The Office action provides one set of remarks with no indication as to which claim(s) are discussed. Applicants note that Claim 1 (apparatus) and claim 11 (method) contain similar limitations, as do claims 2-3 and 12-13, respectively. The Office action, paragraph 2, pages 2-4, recites the rejection of what is presumed, for the sake of prosecution efficiency, to be claims 1, 2 and 3 (with citations in parenthesis), as follows:

Staples et al. discloses method and apparatus for providing a web-accessible (fig.18a) virtual processing environment to a network-connected office server for a remotely connected user computer through which a user stationed at the computer can execute

any of a plurality of server-based applications resident at the office server, comprising:

a platform, capable of being situated in network communication between the user computer and the office server (fig.1 or 2), having:

a processor (72);

a memory (60, 80), connected to the processor and for storing computer executable instructions therein;

first and second network interfaces,

operable in conjunction with the processor, for interfacing the platform, through the first network interface,

to a wide area network (WAN) connection through which the remote user computer obtains connectivity to the platform, and, through the second network interface, to a local area network (LAN) having a server computer electrically communicative thereover, respectively, with the server computer forming the office server; and wherein, in response to the executable instructions, the processor, for each one of the server-based applications:

provides, through a corresponding client application module implemented on the platform for each of the server-based applications, bi-directional protocol conversion of messages between the remote user computer and the office server, such that user interaction data, intended for a specific one of the server-based applications and provided by a browser executing on the remote user computer in a first protocol, is converted into a second protocol associated with said one server-based application and then applied to. the server-based application at the office server, and output data, provided by said specific one server-based application, is converted from the second protocol to the first protocol for being transmitted to the user computer and graphically rendered thereat, through the browser, to the user.
(86, 82, 78, 88; col.29, lines 44-59)

wherein the processor, in response to execution of the stored instructions: for messages emanating from the user computer and appearing on the WAN connection: receives, from the browser, a first message containing the user interaction data associated with a specific one server-based application and in the first protocol; converts the user interaction data in the first protocol to the second protocol associated with the specific one server-based application to yield a second message; and applies the second message, as input, to the server computer for processing by the specific one server-based application; and for messages emanating from the server computer and appearing on the LAN: receives, from the server computer and over the LAN connection, a third message containing output data generated by the specific one server-based application and in the second protocol; converts the output data message in the second protocol to the first protocol to yield a fourth message; and applies the fourth message to the WAN connection for transmission to the browser in order to render the output data thereat. (col.15, line 55-col. 26, line 30)
wherein the server computer comprises a corresponding server for each of the serverbased applications and is implemented either coincident with the platform or as at least one physical computer separate from the platform and connected, via the LAN, to it.
(fig. 12)

The citations are provided within what appears to be the language of claims 1, 2 and 3. However, the language is not in quotations and the claim numbers are not provided. The sparse remarks or citations do not clearly articulate the rejection as it pertains to each and every element of the claimed invention (of rejected claims 1-3 and 11-13) as is required by MPEP § 706. It is difficult to determine how Staples pertains to one or more claim elements (if any) in the format of the present citation.

Applicants respectfully request that any future rejection including any possible reiteration of the rejection of the Office Action of April 27, 2004, clearly articulate the rejection as it pertains to each and every element of the claimed invention as required by MPEP § 706.

Even assuming for the sake of argument that the rejection is clearly articulated, Applicants respectfully note that Staples fails to teach each and every element of Applicants' claims 1-3 and 11-12.

In the interest of prosecution efficiency, Applicants attempted to determine how the citations could possibly teach each and every element of the claimed invention.

Applicants respectfully request that the Examiner consider that in order to establish a *prima facie* case of anticipation, Staples must teach and every element of Applicants' claimed invention.

Regarding the following portion of the remarks:

wherein the processor, in response to execution of the stored instructions: for messages emanating from the user computer and appearing on the WAN connection: receives, from the browser, a first message containing the user interaction data associated with a specific one server-based application and in the first protocol; converts the user interaction data in the first protocol to the second protocol associated with the specific one server-based application to yield a second message; and applies the second message, as input, to the server computer for processing by the specific one server-based application; and for

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messages emanating from the server computer and appearing on the LAN: receives, from the server computer and over the LAN connection, a third message containing output data generated by the specific one server-based application and in the second protocol; converts the output data message in the second protocol to the first protocol to yield a fourth message; and applies the fourth message to the WAN connection for transmission to the browser in order to render the output data thereat.

The Examiner attempts to imply, by mere citation to Staples col. 15, line 55 to col. 26, line 30, that this feature of claim 1 is taught by Staples. No further explanation is given of the citation to Staples and it is unclear as to whether the Examiner means to imply that any other feature of claim 1 is taught by the citation. Applicants have reviewed the rather lengthy section of Staples and find that Staples does not provide any teaching or suggestion of each and every element of Applicants' claim 1, including Applicants' "WAN connection," "user interaction data" or "browser" in the context of Applicants' claimed invention.

For the above stated reasons, Staples does not teach each and every element of Applicants' claim 1. Further, Staples does not teach each and every element of claims 2-3 which depend from claim 1.

Also, for all of the above stated reasons Staples does not teach each and every element of Applicants' claim 11 or claims 12 and 13 which depend from claim 11.

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Conclusion

Thus, the Applicants submit that none of the claims, presently in the application, is anticipated under the provisions of 35 USC § 102.

Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,

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